September 1, 2026

The Honorable Stanley E. Woodward, Jr.
Associate Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear Associate Attorney General Woodward:

I write today with concerns regarding potentially anti-competitive efforts by a foreign-based beer company, AB InBev, positioning itself as an American company making "American beer" in the U.S. marketplace.

At the state level, I understand AB InBev is promoting legislation in multiple states which would provide a preferential tax incentive for "domestic beer." AB InBev's legislation defines "domestic beer" and "foreign import beer" to advantage its operations and deliver significant tax advantages to itself—despite being a foreign-based company. This Orwellian situation where a foreign company positions itself as an American company making "American beer" is widely opposed by trade associations representing various parts of the alcohol beverage industry on constitutional and discriminatory grounds (see attached).

Additionally, these efforts seem to very clearly fly in the face of a 2013 U.S. Department of Justice (DOJ) consent decree, *United States v. Anheuser-Busch InBev Sa/Nv, et al*, from the DOJ's Antitrust Division which sought to balance competition in the U.S. beer industry to benefit U.S. consumers. DOJ compelled AB InBev to sell its Mexican beer brands to a U.S. based company, in perpetuity. Now, AB InBev is advancing tariffs at the federal level against the U.S. company DOJ forced AB InBev to sell its Mexican beer brands to.

These efforts are clearly targeting the competitive balance in the U.S. beer industry envisioned by the U.S. Government. A competitive balance which has led to increased competition and an efficient market for U.S. consumers, U.S. craft brewers, U.S. beer wholesalers, U.S. retailers and U.S. farmers of barley, hops and corn. This includes Montana's barley farmers. The 2013 U.S. DOJ consent decree benefits competition at all levels in the U.S. beer industry, including U.S. farmers.

In the states where these discriminatory tax proposals have been advanced, AB InBev would receive an outsized tax benefit over small craft brewers and other U.S. based alcohol suppliers. In some states where they are advancing these proposals, it is reported AB InBev would receive over 50% of the tax benefit.

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This is concerning both from a U.S. competitive perspective and from a global perspective when we are rewarding foreign-based companies over U.S. based companies. Over 95% of the jobs in the U.S. beer industry reside with U.S. beer wholesalers, U.S. retailers and with U.S. rail, truck and other logistics providers. Over 43,000 agriculture jobs depend on the U.S. beer industry and many of those farmers, Montana farmers, rely on contracts with American companies who buy their barley, ship it to Mexico and import it back to be consumed exclusively for American consumers.

The DOJ's consent decree not only balanced competition in the U.S. beer industry, it also provided opportunities for U.S. farmers. As a recent op-ed in Montana stated, tariffs on Mexican beer brands are a tax on U.S. barley farmers and specifically Montana barley farmers and the American-based companies who support them. This is critical because foreign companies have been off-shoring the production of their so called "American beers" to Canada and Mexico and making these beers without U.S. farmer grains.

The DOJ has helped create a competitive marketplace in the U.S. beer industry. I would encourage the Antitrust Division to review anti-competitive efforts being advanced by AB InBev to disrupt this balance. Recent reports from the Consumer Action for a Strong Economy[1] and the Main Street Competition Coalition[2] have warned of AB InBev activities and potential impacts to the beer industry and its consumers. Any efforts to disrupt the U.S beer industry should be scrutinized when their effects will shift the U.S. beer marketplace to benefit foreign-based suppliers at the expense of the U.S. based suppliers and U.S. consumers it sought to protect.

I appreciate the U.S. Department of Justice and its Antitrust Division's continued leadership in providing a more competitive marketplace and I look forward to working with you to make sure we have a more competition for U.S. consumers and U.S. farmers across this country. I appreciate your consideration of this matter and look forward to hearing from you.

Sincerely,

AUSTIN KNUDSEN
Montana Attorney General

c: Attorney General Todd Blanche
United States Trade Representative, Ambassador Jameson Greer
United States Secretary of Agriculture, Brooke Rollins

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[1] Consumer Action for a Strong Economy, *American Beer Drinkers Say "Cheers" to Sound Public Policy* (July 2026) *available online at* https://www.caseforconsumers.org/case-white-paper-americans-say-cheers-to-sound-public-policy/.

[2] Main Street Competition Coalition, *The Beer Antitrust Case That Worked* (July 2026) *available online at* https://www.mainstreetcompetition.com/news/the-beer-antitrust-case-that-worked.